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EXAMINER

RIMELL, SAMUEL G

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 08/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/730,826

Applicant(s)

KEARSEY ET AL.

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**SAM RIMELL**  
**PRIMARY EXAMINER**

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-15 are, as best as can be understood, rejected under 35 U.S.C. 102(e) as being anticipated by Dalal ('999).

Claim 1: Reference is made to FIGS 10-11, and col. 9, line 55 through col. 6, line 22. Dalal disclose the principles of querying database which can be organized into detail tables. For example, any of the tables illustrated in FIGS. 10-11 are readable as detail tables.

Col. 9, lines 55-60 illustrate first and second queries which can be performed using a computer processor. The processor receives user input to perform a multi-level aggregation and generates first and second queries simultaneously. The first query is:

```
SELECT sum ([Sales Price]) FROM [Orders] LEVEL 1  
GROUP BY [Salesperson]
```

which aggregates the data deriving from FIG. 10 into the three LEVEL 1 tables shown in FIG. 11. The input is thus analyzed and a determination made to aggregate data into the three

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LEVEL 1 tables. This result is also readable as the claimed “modified input”, since the originally input data has been modified to produce three data tables.

A second query is performed, which is:

```
SELECT sum ([Sales Price]) FROM ([Orders]) LEVEL 2  
GROUP BY [Division]
```

which aggregates the data from each of the three LEVEL 1 tables shown in FIG. 11 and joins them into the LEVEL 2 table. As shown in FIG. 11, the LEVEL 2 table corresponds to an aggregation of the LEVEL 1 tables.

Claim 2: As seen from the second query described in claim 1, data is selected from each of the LEVEL 1 tables to generate the LEVEL 2 table.

Claim 3: Any table within the database, or record within the table, reads as a “complex folder”. Any view of the data, such as a table, reads as an “in-line view”, lacking any further detail on what makes a folder “complex” or what makes a view “in-line”.

Claim 4: The aggregation performed in FIGS 1-2 are based upon summation, but each of the types of aggregation described in claim 4 are outlined at col .2, lines 9-11 of Dalal.

Claim 5: The query processor is part of a computer system (FIG. 3). The input device on the computer system can be a storage device such as the hard drive (31) shown in FIG. 3, or a keyboard for direct user input.

Claim 6: The queries may be derived using data selected from tables. For example, the LEVEL 1 query derives from data in the table of FIG. 10.

Claim 7: The query in col. 9, lines 55-60 is an SQL query (also see remarks in col. 2, line 20).

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Claim 8: FIG. 11 illustrates an application of the query processor in which three different tables can be aggregated into a single table.

Claim 9: See remarks for claim 1. With respect to the claimed "database", FIG. 3 also illustrates an exemplary computer system which includes a database system, database processors (23, 24, 25) within the database system and a data store (31).

Claim 10: The database system includes the processors (23, 24, 25).

Claim 11: See remarks for claim 2.

Claim 12: See remarks for claim 3.

Claim 13: See remarks for claim 4.

Claim 14: See remarks for claim 5.

Claim 15: See remarks for claim 6.

#### Remarks

Applicant's arguments have been considered. In making the above rejections, examiner has referred to the query processing as set forth in FIG 11. and described in col. 9, line 55 through col. 10, line 21. Examiner maintains that the LEVEL 1 and LEVEL 2 queries described in these sections correspond to the first and second queries which are claimed as being generated in claim 1.

Although this is a new basis of rejection from the same reference, applicant has in fact discussed this issue, and discussed the query structure of FIG 11 in the remarks set forth at page 9 second to last paragraph and extending through page 11 first paragraph.

Applicant presents two arguments regarding the embodiment of FIG. 11.

First applicant argues that Dalal does not disclose joining aggregated data from each of a plurality of detail tables. In essence, applicant is arguing that that the LEVEL 2 table in FIG. 11 is aggregated from only one table (the source table in FIG. 10). However, since the data in the LEVEL 2 does in fact correspond to data from multiple LEVEL 1 tables, the LEVEL 2 table can be correctly defined as being an aggregation of those multiple tables.

Secondly, applicant argues that Dalal does not disclose modifying a received first query. However, the claims never state that the first query is ever modified. The claims only state that "input" is modified. In Dalal, a LEVEL 1 input is the data items from the table of FIG. 10. This data is then modified to create the three LEVEL 1 tables. There is no requirement that the query itself ever be modified.

This office action is not made final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell  
Primary Examiner  
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